

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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The Orange Rabbit, Inc.,

Case No. 19-cv-687 MJD/ECW

Plaintiff,

v.

**ORDER**

Franchoice, Inc. et al,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and  
Recommendation by United States Magistrate Judge Elizabeth Cowan Wright  
dated April 26, 2019, all the files and records, and no objections having been filed  
to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss Pursuant  
to Rules 12(b)(6) and 9(b) (Dkt. No. 7) is **DENIED AS MOOT**.

DATED: May 21, 2019

s/ Michael J. Davis

MICHAEL J. DAVIS

United States District Court